

REMARKS/ARGUMENTS

Claims 17, 19-39 and 43-48 are pending in the application. By this Amendment, claim 17 is amended. Reconsideration and withdrawal of the rejections in view of the foregoing amendments and the following remarks is respectfully requested.

THE CLAIMS ARE ALLOWABLE OVER PETROSYAN

The Office Action rejections claims 17-25, 33, 38, 39 and 43-47 under 35 USC § 102(b) over Petrosyan (U.S. Patent No. 5,711,286). The rejection is respectfully traversed.

Claims 17-25 and 33

Claim 17 is directed to a compressed gas operated pistol. Claim 17 recites a trigger zone comprising a trigger linked to a hammer. Claim 17 also recites that the pistol includes a valve element configured to connect a valve chamber and a firing chamber, wherein the valve element is configured to be moved from a closed position to an open position by an impact of the hammer. Claim 17 further recites a sealing device configured to isolate a firing chamber of the pistol with respect to an ammunition magazine. The trigger is linked to an elastic element provided in a forward portion of the trigger such that when the trigger is pressed against the force of the elastic element, the barrel is moved rearward in an axial direction to activate the sealing device.

The Petrosyan reference discloses a compressed air pistol which lacks a trigger which is linked to a hammer. The Petrosyan pistol does not include any type of hammer mechanism, let

alone a hammer mechanism that operates a valve element. Instead, the barrel of the Petrosyan device operates a valve element to release compressed gas which fires a pellet.

In addition, the trigger of the Petrosyan reference is configured to move the barrel forward as the trigger is depressed against the force of an elastic element. This is in direct contrast to the pistol of claim 17, which recites that the barrel is moved rearward in an axial direction as the trigger is pressed against the force of an elastic element.

Because Petrosyan lacks the claimed trigger linked to a hammer as recited in claim 17, and because the trigger of the Petrosyan gun is not configured to move the barrel rearward as a trigger is depressed against the force of an elastic element, it is respectfully submitted that claim 17 is allowable. Claims 19-25 and 33 depend from claim 17 and are allowable for at least the same reasons, and for the additional features which they recite.

Claims 38, 39 and 43-47

Claim 38 is also directed to a compressed gas operated pistol. Claim 38 recites that the pistol includes a trigger piece linked to a hammer. Claim 38 also recites a sliding cover positioned proximate to the barrel and coupled to the trigger, wherein the sliding cover is configured to move backwards in a direction parallel to the barrel when the trigger is pressed so as to activate the hammer.

As noted above, Petrosyan links any type of traditional hammer which would be linked to a trigger. In addition, Petrosyan lacks the claimed sliding cover coupled to the trigger, wherein the sliding cover is configured to move backwards in a direction parallel to the barrel when the trigger is pressed so as to activate the hammer. For all these reasons, it is respectfully submitted

that claim 38 is allowable. Claims 39 and 43-47 depend from claim 38 and are allowable for at least the same reasons, and for the additional features which they recite.

In view of the foregoing, withdrawal of the rejection of claims 17-25, 33, 38, 39 and 43-47 over Petrosyan is respectfully requested.

THE CLAIMS ARE ALLOWABLE OVER POOR

The Office Action rejects claims 17, 19-24, 26, 27, 38, 39, 43, 44-46 and 48 under 35 USC § 102(b) over Poor (U.S. Patent No. 5,509,399). The rejection is respectfully traversed.

Claims 17, 19-24, 26 and 27

Claim 17 recites a sealing device which is configured to isolate the firing chamber of the gun with respect to the ammunition magazine. Claim 17 recites that a catch portion is configured to link the trigger and the barrel, and that the trigger is linked to an elastic element provided in a forward portion of the trigger such that when the trigger is pressed against the force of the elastic element, the barrel is moved rearward in an axial direction to activate the sealing device.

The Poor reference also discloses a compressed gas operated pistol. In the Poor pistol, the barrel 24 is fixed. The barrel 24 never moves as the trigger is depressed. Because the barrel of the Poor pistol never moves as the trigger is depressed, it is respectfully submitted that claim 17 is allowable. Claims 19-24, 26 and 27 depend from claim 17 and are allowable for at least the same reasons.

Claims 38, 39, 43 and 44-46

Claim 38 recites a pistol which includes a barrel configured to be partially inserted into a firing chamber of the pistol. Claim 38 further recites a sliding cover positioned proximate to the barrel and coupled to the trigger, wherein the sliding cover is configured to move backwards in a direction parallel to the barrel when the trigger is pressed so as to activate the hammer.

As noted above, Poor lacks any type of barrel which can be partially inserted into a firing chamber. Instead, in the Poor reference the barrel of the device never moves, and the barrel is always located in front of the firing chamber. In addition, Poor lacks any type of sliding cover coupled to the trigger, wherein the sliding cover is configured to move backwards in a direction parallel to the barrel when the trigger is pressed so as to activate the hammer. For at least these reasons, it is respectfully submitted claim 38 is allowable. Claims 39, 43 and 44-46 depend from claim 38 and are allowable for at least the same reasons.

Claims 48

Claim 48 is also directed to a compressed gas operated pistol. Claim 48 recites, among other things, a sliding cover provided in an upper section of the barrel zone and coupled to the trigger, and a connection mechanism configured to connect a rear end of the sliding cover to the hammer, wherein the sliding cover is configured to move backwards in a direction parallel to the barrel when the trigger is pressed so as to activate the hammer.

As noted above, Poor lacks any type of sliding cover which is configured to move backwards as the trigger is pressed so as to activate a hammer of the pistol. For at least this reason, it is respectfully submitted that claim 48 is allowable.

In view of the foregoing, withdrawal of the rejection of claims 17, 19-24, 26, 27, 38, 39, 43, 44-46 and 48 over Poor is respectfully requested.

CLAIMS 28 AND 32 ARE ALLOWABLE

The Office Action rejects claims 28 and 32 under 35 USC § 103(a) over Petrosyan or Poor, in view of Lundy (U.S. Patent No. 6,389,728). The rejection is respectfully traversed.

Claims 28 and 32 depend from claim 17. As noted above, Petrosyan and Poor both fail to disclose all of the features of independent claim 17. Lundy fails to cure the deficiencies of Petrosyan and Poor discussed above. It is respectfully submitted that claims 28 and 32 are allowable for the reasons discussed above in connection with claim 17, and for the additional features they recite. Withdrawal of the rejection of these claims is respectfully requested.

CLAIM 37 IS ALLOWABLE

The Office Action rejects claim 37 under 35 USC § 103(a) over Petrosyan or Poor, in view of Davenport (U.S. Patent Publication No. 2003/0101632). The rejection is respectfully traversed.

Claim 37 depends from claim 17. As noted above, Petrosyan and Poor both fail to disclose or suggest all of the features of independent claim 17. Davenport fails to cure the deficiencies of Petrosyan and Poor. Accordingly, it is respectfully submitted that claim 37 is allowable for the reasons discussed above in connection with claim 17, and for the additional features it recites. Withdrawal of the rejection of Claim 37 is respectfully requested.

ALLOWABLE SUBJECT MATTER

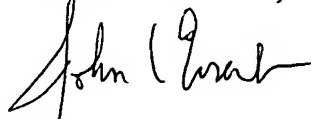
The Office Action indicates that claims 29-31 and 34-36 contain allowable subject matter. Applicant acknowledges the indication of allowable subject matter with appreciation. However, for the reasons discussed above, it is respectfully submitted that all claims are in condition for allowance. For this reason, Applicant respectfully declines to rewrite claims 29-31 and 34-36 into independent form at the present time.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition, the Examiner is invited to contact the undersigned at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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